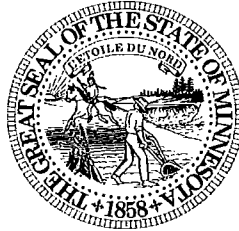


STATE OF MINNESOTA

EXECUTIVE DEPARTMENT



MARK DAYTON
GOVERNOR

Emergency Executive Order 13-12

Amending Emergency Executive Order 13-11, and Extending Relief from Regulations to Motor Carriers and Drivers Operating in the State of Minnesota

I, Mark Dayton, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

Whereas, on October 23, 2013, I issued Emergency Executive Order 13-11, and exempted motor carriers and drivers transporting propane and anhydrous ammonia to areas affected by acute shortages of propane in the state, from the regulations incorporated in Minnesota Statutes, section 221.0314, subdivision 9, pertaining to hours of service; and

Whereas, the late harvest of the corn crop in Minnesota and across the upper Midwest is expected to continue for at least another 15 – 20 days; and

Whereas, the corn harvest is both larger and wetter than previously known, creating a large and extended need for propane supplies; and

Whereas, the propane distribution system has not been able to recover from the large draw; and

Whereas, the Cochin Pipeline, which transports propane from Canada to the United States, will be shut down for line reversal repair operations from November 27 – December 17, 2013, stressing the distribution system further.

Now, Therefore, I hereby order that Emergency Executive Order 13 – 11 is amended, and the following:

1. A state of emergency continues in Minnesota that requires extended relief from regulations incorporated in Minnesota Statutes, section 221.0314, subdivision 9, pertaining to hours of service for carriers and drivers of motor vehicles providing direct assistance in emergency relief efforts.
2. Motor carriers and drivers transporting propane and anhydrous ammonia to affected areas of the state and providing direct assistance for emergency relief efforts, are exempted from the regulations incorporated in Minnesota Statutes, section 221.0314, subdivision 9, pertaining to hours of service.
3. Nothing in this order shall be construed to relieve motor carriers and drivers transporting supplies and materials and providing direct assistance for emergency relief efforts from regulations pertaining to driver qualifications; driving of commercial motor vehicles; commercial drivers' licenses; drug and alcohol testing for drivers; or equipment, parts, and accessories necessary for the safe operation of vehicles.
4. No motor carrier operating under the terms of this order shall require or allow an ill or fatigued driver to operate a motor vehicle. Any driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive off-duty hours before the driver is required to return to service.
5. Upon the expiration of this order, or when a driver or carrier ceases to provide direct assistance to the emergency relief effort, a driver that has had at least thirty-four consecutive hours off-duty must be permitted to start his or her on-duty status hours and 60/70-hour clock at zero.

Pursuant to Minnesota Statutes, section 4.035, subdivision 2, this Emergency Executive Order is effective immediately and must be filed with the Secretary of State and published in the State Register as soon as possible after its issuance. Emergency relief from regulations for motor carriers and drivers transporting propane and anhydrous ammonia to affected areas of the state remains in effect until November 22, 2013 or until the commercial motor carrier or driver ceases direct assistance in providing emergency relief, whichever occurs first. For purposes of this Emergency Executive Order, direct assistance is defined in Minnesota Statutes, section 221.0269, subdivision 3, paragraph (c). This Emergency Executive Order may be extended in accordance with Minnesota Statutes, section 221.0269, subdivision 2.

In Testimony Whereof, I have set my hand on this 6th day of November, 2013.

A handwritten signature in black ink, appearing to read "Mark Dayton", written over a horizontal line.

Mark Dayton
Governor

Filed According to Law

A handwritten signature in black ink, appearing to read "Mark Ritchie", written over a horizontal line.

Mark Ritchie
Secretary of State